

Exhibit A, Page 1 of 9

2120 - Served 2121 - Served
 2220 - Not Served 2221 - Not Served
 2320 - Served By Mail 2321 - Served By Mail
 2420 - Served By Publication 2421 - Served By Publication
 SUMMONS ALIAS - SUMMONS

(8/01/08) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT OF LAW

RECEIVED
 MAR 25 2013
 DEPARTMENT OF LAW

DIVISION

COOK COUNTY, ILLINOIS
 CLERK OF COURT
 TIME 10:00 AM
 DATE 03/26/13
 Type - Intentional

No. _____

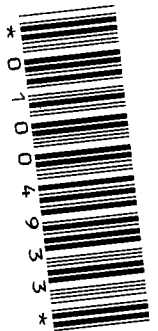
ANTONIO CROSS

(Name all parties)

v.

City of Chicago, a municipal corporation and Dante Servin

Please Serve:
 City of Chicago
 c/o Susan Mendoza
 City Hall
 121 N. LaSalle - Rm 107
 Chicago, Illinois 60602

**SUMMONS**

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- ☒ Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602
- ☐ District 2 - Skokie ☐ District 3 - Rolling Meadows ☐ District 4 - Maywood
 5600 Old Orchard Rd. 2121 Euclid 1500 Maybrook Ave.
 Skokie, IL 60077 Rolling Meadows, IL 60008 Maywood, IL 60153
- ☐ District 5 - Bridgeview ☐ District 6 - Markham ☐ Child Support
 10220 S. 76th Ave. 16501 S. Kedzie Pkwy. 28 North Clark St., Room 200
 Bridgeview, IL 60455 Markham, IL 60426 Chicago, Illinois 60602

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

Atty. No.: 23721

Name: Benjamin E. Starks

Atty. for: Plaintiff

Address: 11528 S Halsted

City/State/Zip: Chicago, Illinois 60628

Telephone: (773) 995-7900

WITNESS, _____

MAR 2 02:43

DOROTHY BROWN
 CLERK OF COURT
 CLERK OF CIRCUIT COURT

Date of service: _____

(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: _____

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Exhibit A, Page 2 of 9

2120 - Served 2121 - Served
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 SUMMONS ALIAS - SUMMONS

(8/01/08) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

ANTONIO CROSS

(Name all parties)

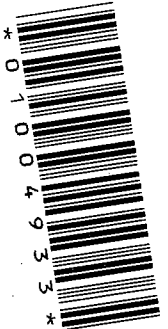
v.

City of Chicago, a municipal corporation and Dante Servin

No. _____

FILED 03/26/2013
 TIME 00:00
 Tort - Intent

Please Serve:
 City of Chicago
 c/o Susan Mendoza
 City Hall
 121 N. LaSalle - Rm 107
 Chicago, Illinois 60602

**SUMMONS****To each Defendant:**

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- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Richard J. Daley Center, 50 W. Washington, Room <u>801</u> , Chicago, Illinois 60602 | | |
| <input type="checkbox"/> District 2 - Skokie
5600 Old Orchard Rd.
Skokie, IL 60077 | <input type="checkbox"/> District 3 - Rolling Meadows
2121 Euclid
Rolling Meadows, IL 60008 | <input type="checkbox"/> District 4 - Maywood
1500 Maybrook Ave.
Maywood, IL 60153 |
| <input type="checkbox"/> District 5 - Bridgeview
10220 S. 76th Ave.
Bridgeview, IL 60455 | <input type="checkbox"/> District 6 - Markham
16501 S. Kedzie Pkwy.
Markham, IL 60426 | <input type="checkbox"/> Child Support
28 North Clark St., Room 200
Chicago, Illinois 60602 |

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

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Atty. No.: 23721Name: Benjamin E. StarksAtty. for: PlaintiffAddress: 11528 S HalstedCity/State/Zip: Chicago, Illinois 60628Telephone: (773) 995-7900

WITNESS, _____

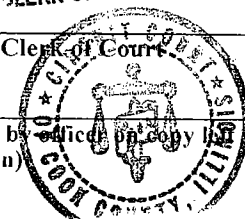
MAR 20 2013

DOROTHY BROWN
 CLERK OF CIRCUIT COURT

Clerk of Court

Date of service: _____

(To be inserted by officer on copy filed with defendant or other person)



Service by Facsimile Transmission will be accepted at: _____

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

ANTONIO CROSS,

Plaintiff,

v.

CITY OF CHICAGO, a municipal
corporation, and DANTE SERVIN,
an individual,

Defendants.

JURY TRIAL DEMANDED

2013L002882
CALENDAR/ROOM F
TIME 00:00
Tort - Intentional

COMPLAINT AT LAW

Plaintiff Antonio Cross, by counsel STARKS & ASSOCIATES, complains of
defendants City of Chicago, a municipal corporation, and Dante Servin, an
individual, as follows:

FILED 8-13
2013 MAR 20 PM 4:05
CLERK OF CIRCUIT COURT
LAW DIVISION

PARTIES & JURISDICTION

1. Plaintiff Antonio Cross lives in Cook County, Illinois.
2. Defendant City of Chicago is a municipal corporation with its principal office in Cook County, Illinois.
3. Defendant Dante Servin lives in Cook County, Illinois.
4. At all times mentioned in this complaint, defendant Dante Servin was acting under color of law and within the scope of his employment with defendant City of Chicago.
5. All events mentioned in this complaint occurred in Cook County, Illinois.

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OFFICE OF THE
CITY CLERK

FACTS

6. During the early morning hours of March 21, 2012, plaintiff Antonio Cross was in the vicinity of 3100 W. 15th Place in Chicago.

7. Plaintiff Antonio Cross was walking westbound on the sidewalk buttressing 15th Place with some other individuals including Rekia Boyd.

8. At that time and place, defendant Dante Servin approached the group in his vehicle.

9. Defendant Dante Servin identified himself as a police officer and brandished a firearm.

10. Defendant Dante Servin intentionally aimed the barrel of his firearm in plaintiff Antonio Cross' direction and intentionally fired several bullets.

11. One of those bullets struck Rekia Boyd in the head; another struck plaintiff Antonio Cross in the hand.

12. Plaintiff Antonio Cross sustained severe and disabling personal injuries as a result of the bullet that defendant Dante Servin fired.

13. At all times mentioned in this complaint, plaintiff Antonio Cross was unarmed.

14. At all times mentioned in this complaint, plaintiff Antonio Cross did not pose any risk of imminent harm to defendant Dante Servin.

15. At all times mentioned in this complaint, plaintiff Antonio Cross did not appear to pose any risk of imminent harm to defendant Dante Servin.

16. On information and belief, defendant Dante Servin furnished false information concerning the events leading up to the shooting, which caused criminal proceedings to be commenced against Antonio Cross and which caused Antonio Cross' arrest.

COUNT II – BATTERY—RESPONDEAT SUPERIOR
(v. CITY OF CHICAGO)

23. Plaintiff re-alleges paragraphs 20–22 of this Complaint as if fully set forth herein.

24. At all relevant times, Dante Servin was acting within the scope of his employment with defendant City of Chicago, thereby rendering defendant City of Chicago vicariously liable under the doctrine of *respondeat superior*.

WHEREFORE, plaintiff Antonio Cross asks for judgment against defendant City of Chicago in excess of the minimum jurisdictional requirements for assignment of this case to the Law Division, plus costs.

COUNT III – MALICIOUS PROSECUTION
(v. DANTE SERVIN)

25. Plaintiff re-alleges paragraphs 1–19 of this Complaint as if fully set forth herein.

26. Defendant Dante Servin, maliciously instituted criminal proceedings against plaintiff Antonio Cross without probable cause.

27. The criminal proceedings against plaintiff Antonio Cross were terminated in a manner indicative of his innocence.

28. Plaintiff Antonio Cross was arrested and jailed and suffered incidental and consequential damages as a result thereof.

WHEREFORE, plaintiff Antonio Cross asks for judgment against defendant Dante Servin in excess of the minimum jurisdictional requirements for assignment of this case to the Law Division, plus costs.

COUNT IV – MALICIOUS PROSECUTION—RESPONDEAT SUPERIOR
(v. CITY OF CHICAGO)

29. Plaintiff re-alleges paragraphs 25–28 of this Complaint as if fully set forth herein.

30. At all relevant times, Dante Servin was acting within the scope of his employment with defendant City of Chicago, thereby rendering defendant City of Chicago vicariously liable under the doctrine of *respondeat superior*.

WHEREFORE, plaintiff Antonio Cross asks for judgment against defendant City of Chicago in excess of the minimum jurisdictional requirements for assignment of this case to the Law Division, plus costs.

COUNT V – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(v. DANTE SERVIN)

31. Plaintiff re-alleges paragraphs 1–19 of this Complaint as if fully set forth herein.

32. The conduct of defendant Dante Servin as set forth above was extreme and outrageous. Defendant Dante Servin's conduct was rooted in an abuse of power or authority and was undertaken with intent to cause, or reckless disregard of the high likelihood that it would cause, severe emotional distress to plaintiff Antonio Cross.

33. The conduct of defendant Dante Servin in fact caused severe emotional distress to plaintiff Antonio Cross.

WHEREFORE, plaintiff Antonio Cross asks for judgment against defendant Dante Servin in excess of the minimum jurisdictional requirements for assignment of this case to the Law Division, plus costs.

COUNT VI – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
—RESPONDEAT SUPERIOR
(v. CITY OF CHICAGO)

34. Plaintiff re-alleges paragraphs 31–33 of this Complaint as if fully set forth herein.

35. At all relevant times, Dante Servin was acting within the scope of his employment with defendant City of Chicago, thereby rendering defendant City of Chicago vicariously liable under the doctrine of *respondeat superior*.

WHEREFORE, plaintiff Antonio Cross asks for judgment against defendant City of Chicago in excess of the minimum jurisdictional requirements for assignment of this case to the Law Division, plus costs.

COUNT VII – 42 U.S.C. § 1983
EXCESSIVE FORCE IN VIOLATION OF THE FOURTH
AMENDMENT TO THE UNITED STATES CONSTITUTION
(v. DANTE SERVIN)

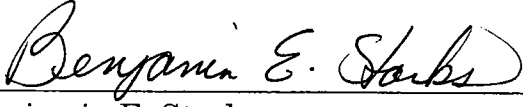
36. Plaintiff re-alleges paragraphs 1–19 of this Complaint as if fully set forth herein.

37. By shooting plaintiff Antonio Cross when plaintiff Antonio Cross did not actually pose, nor appear to pose, a threat to defendant Dante Servin, defendant Dante Servin used excessive force in violation of the Fourth Amendment to the United States Constitution.

WHEREFORE, plaintiff Antonio Cross asks for judgment against defendant City of Chicago in excess of the minimum jurisdictional requirements for assignment of this case to the Law Division, including an award of reasonably attorneys fees pursuant to 42 U.S.C. § 1988, plus costs.

PLAINTIFF DEMANDS TRIAL BY JURY.

Dated: March 20, 2013.

BY: 
Benjamin E. Starks
STARKS & ASSOCIATES
Attorneys for Plaintiff Antonio Cross
11528 S. Halsted Ave.
Chicago, IL 60628
(773) 995-7900
Firm I.D. No. 23721

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

ANTONIO CROSS,

Plaintiff,

v.

CITY OF CHICAGO, a municipal
corporation, and DANTE SERVIN,
an individual,

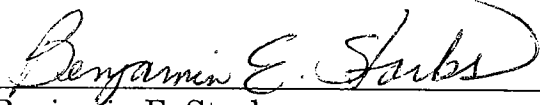
Defendants.

JURY TRIAL DEMANDED

ILL. SUP. CT. R. 222(b) AFFIDAVIT

The undersigned hereby states that in the above-captioned matter, plaintiff
seeks money damages in excess of \$50,000, exclusive of interest and costs.

BY:



Benjamin E. Starks

STARKS & ASSOCIATES

Attorneys for Plaintiff Antonio Cross

11528 S. Halsted Ave.

Chicago, IL 60628

(773) 995-7900

Firm I.D. No. 23721